

**SILVERBROOK RESEARCH Pty Ltd**

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Email: info@silverbrookresearch.com

ACN 066 573 671

#5

FACSIMILE MESSAGE**RECEIVED
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MAR 09 2004

Date **March 10, 2004**To: **Group Receptionist Art Unit 2622**Fax No.: **0011 1 703 872 9306**

Subject: **United States Patent Application No. 09/575,109**
Inventors/Assignors: Paul Lapstun and Simon Robert Walmsley
Assignee: SILVERBROOK RESEARCH PTY LTD

Our Ref: **PEC02US**Total Number of Pages (including this) : **19**

Attached is a Request to withdraw abandonment to the Notice of Abandonment of Examiner
Marie Twyler Lamb, dated February 24, 2004.

Regards

PP Leonie News
Silverbrook Research Pty Ltd

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MAR 16 2004

DIRECTOR OFFICE

766 Examiner

CENTRAL FAX CENTER 2622

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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/575,109	
	Filing Date	May 23, 2000	
	First Named Inventor	Paul Lapstun	
	Art Unit	2622	
	Examiner Name	Marie Twyler Lamb	
Total Number of Pages in This Submission	19	Attorney Docket Number	PEC02US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request to Withdraw/Abandonment
Remarks: Email: kla.silverbrook@silverbrookresearch.com Telephone: 61-2-9818-6633 Facsimile: 61-2-9555 77621		

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 TECHNOLOGY CENTER 2000

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Paul Lapstun and Simon Robert Walmsley c/Silverbrook Research Pty. Ltd. 393 Darling Street, Balmain, NSW, 2041, Australia
Signature	<i>Paul Lapstun</i> <i>Simon Walmsley</i>
Date	March 10, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Paul Lapstun and Simon Robert Walmsley		
Signature	<i>Paul Lapstun</i> <i>Simon Walmsley</i>	Date	March 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ACN 066 573 671

March 9, 2004

Commissioner of Patents
United States Patent and Trademarks Office
P.O. Box 1450
ALEXANDRIA VA 22313-1450
UNITED STATES OF AMERICA

Attn: Examiner Twyler Marie Lamb
Art Unit: 2622

Dear Examiner Twyler Marie Lamb

USSN 09/575,109**In the Name of Paul Lapstun and Simon Robert Walmsley****Docket No: PEC02US**

In response to the Notice of Abandonment we hereby lodge a petition to **WITHDRAW HOLDING OF ABANDONMENT**.

The Notice of Abandonment states that a reply to the Office Action mailed on July 7, 2003 was not received by the USPTO. We confirm that the reply was faxed in response to the Office Action mailed on July 7, 2003. We therefore petition the commissioner to **WITHDRAW HOLDING OF ABANDONMENT** on this application.

The enclosed Declaration of my Patent Administrator, Leonie Frances News, confirms that a response was faxed to the USPTO on October 7, 2003.

We respectfully request favourable consideration of our petition.

Yours sincerely,

Kia Silverbrook
Silverbrook Research Pty Ltd

Encl.

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MAR 16 2004

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TECHNOLOGY CENTER 2600

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Commonwealth of Australia
Statutory Declarations Act 1959

STATUTORY DECLARATION

In the Matter of US Patent
Application No. 09/575,109
in the name of Paul Lapstun and
Simon Robert Walmsley

I LEONIE FRANCES NEWS of 393 Darling Street, Balmain, New South Wales, 2041, Australia do solemnly and sincerely declare as follows:

1. I am the Patent Administrator of Silverbrook Research Pty Ltd and have held this position since 1 September 1999.
2. I have responsibility for maintaining files, preparing responses and forwarding the responses to Office Actions for the United States patent applications of Paul Lapstun and Simon Robert Walmsley and Silverbrook Research Pty Ltd, including US Patent Application No. 09/575,109 ("*The Patent Application*").
3. I received a Notice of Abandonment on The Patent Application stating that the reply was not timely filed at the USPTO to Office Action mailed on July 7, 2003.
4. I then checked my file for The Patent Application and now state that the reply was faxed to the USPTO on The Patent Application on October 7, 2003. A copy of the Reply sent to the Office Action and all other accompanying documents are attached, together with the fax transmission sheet and Transmittal Form and marked as Exhibit LFN-1.

- 2 -

5. Examiner Marie Twyler Lamb was emailed on March 4, 2004 in relation to the facsimile number the response was sent to. It appears from Examiner Marie Twyler Lamb's reply that the facsimile number the response was sent to was incorrect. That is, the Office Action of July 1, 2003 referred to facsimile no. 703 746 6036 for regular communications, whereas Examiner Marie Twyler Lamb's email indicated that the correct facsimile no. for regular communications is 703 872 9306. A copy of Page 4 of the Office Action and of Marie Twyler Lamb's email are attached and marked as Exhibit LFN-2.

And I make this solemn declaration aware of the penalties for false declarations under section 11 of the Statutory Declarations Act 1959 (Cwth of Australia).

Declared at Sydney)
This 8th day of March)
2004 by Leonie Frances)
News)


Leonie Frances News

Before me:)



John Mackay
Solicitor of the Supreme Court
Of New South Wales

Exhibit LFN-1

*** TX REPORT ***

COPY

TRANSMISSION OK

TX/RX NO	1311
CONNECTION TEL	001117037468038
SUBADDRESS	
CONNECTION ID	
ST. TIME	07/10 04:51
USAGE T	03'17
PGS. SENT	8
RESULT	OK



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PO Box 207 Balmain NSW 2041 Australia
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Email: info@silverbrookresearch.com
ACN 066 573 671

FACSIMILE MESSAGE

Date: October 7, 2003
To: Group Receptionist Art Unit 2622
Fax No.: 0011 1 703 746 6036
Subject: United States Patent Application No. 09/575,109
Inventors/Assignors: Paul Lapstun and Simon Robert Walmsley
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Ref: PEC02US

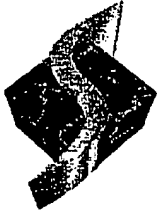
Total Number of Pages (including this) : 8

Attached is a response to the Office Action, of Examiner Marie Twyler Lamb, dated July 7, 2003.

Regards

Leonie News
Silverbrook Research Pty Ltd

Best Available Copy

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PO Box 207 Balmain NSW 2041 Australia

Phone: +61 2 9818 6633 Fax: +61 2 9818 6711

Email: info@silverbrookresearch.com

ACN 066 573 671

COPY**FACSIMILE MESSAGE**

Date **October 7, 2003**
To: **Group Receptionist Art Unit 2622**
Fax No.: **0011 1 703 746 6036**
Subject: **United States Patent Application No. 09/575,109**
Inventors/Assignors: Paul Lapstun and Simon Robert Walmsley
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Ref: **PEC02US**

Total Number of Pages (including this) : 8

Attached is a response to the Office Action, of Examiner Marie Twyler Lamb, dated July 7, 2003.

Regards

PT: Leonie News
Silverbrook Research Pty Ltd

This facsimile contains information that is privileged and confidential, and is intended only for the use of the individual or entity named above. If you have received this facsimile in error, or if the transmission is not complete, please notify us immediately by telephone or facsimile.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/575,109
	Filing Date	May 23, 2000
	First Named Inventor	Paul Lapstun
	Art Unit	2622
	Examiner Name	Marie Twyler Lamb
	Attorney Docket Number	PEC02US
Total Number of Pages in This Submission		8

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: Email: kja.silverbrook@silverbrookresearch.com Telephone: 61-2-9818-6633 Facsimile: 61-2-9555 77621		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul Lapstun and Simon Robert Walmsley c/Silverbrook Research Pty. Ltd. 393 Darling Street, Balmain, NSW, 2041, Australia		
Signature	<i>Paul Lapstun</i> <i>Simon Robert Walmsley</i>		
Date	October 7, 2003		

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Paul Lapstun and Simon Robert Walmsley		
Signature	<i>Paul Lapstun</i> <i>Simon Robert Walmsley</i>	Date	October 7, 2003

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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MAR 09 2004

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Serial Number: 09/575,109
Application. Filed: May 23, 2000
Applicant: Paul Lapstun and Simon Robert Walmsley
Application. Title: PRINTED PAGE TAG ENCODER
Examiner/GAU: Marie Twyler Lamb/2622

Dated October 7, 2003
At: Balmain, NSW, Australia
Docket No. PEC02US

AMENDMENT A

Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

In response to the Office Action of July 7, 2003, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper. The Applicant submits that these amendments introduce no new matter.

Remarks/Arguments begin on page 4 of this paper.

Appln No. 09/575,109
 Amdt. Dated October 7, 2003
 Reply to Office action of July 7, 2003

2

COPY

Amendments to the Specification:

The paragraph beginning at Page 1, lines 20-35, through to Page 2, lines 1-3, to be amended as follows:

—Various methods, systems and apparatus relating to the present invention are disclosed in the following co-pending applications filed by the applicant or assignee of the present invention on 23 May 2000:

<u>09/575,197</u> (NPA001US),	<u>09/575,195</u> (NPA002US),	<u>NPA003US,</u>
<u>09/575,159</u> (NPA004US),	<u>09/575,132</u> (NPA005US),	<u>09/575,123</u> (NPA006US),
<u>09/575,148</u> (NPA007US),	<u>09/575,130</u> (NPA008US),	<u>09/575,165</u> (NPA009US),
<u>09/575,153</u> (NPA010US),	<u>09/575,118</u> (NPA012US),	<u>09/575,131</u> (NPA016US),
<u>09/575,116</u> (NPA017US)	<u>09/575,144</u> (NPA018US),	<u>09/575,139</u> (NPA019US),
<u>09/575,186</u> (NPA020US),	<u>09/575,185</u> (NPA021US),	<u>09/575,191</u> (NPA030US),
<u>09/575,145</u> (NPA035US),	<u>09/575,192</u> (NPA048US),	<u>09/609,303</u> (NPA050US),
<u>09/610,095</u> (NPA051US),	<u>09/609,596</u> (NPA052US)	<u>09/575,181</u> (NPA075US),
<u>09/575,193</u> (NPB001US),	<u>09/575,156</u> (NPB002US),	<u>09/575,183</u> (NPK002US),
<u>09/575,160</u> (NPK003US),	<u>09/575,150</u> (NPK004US),	<u>09/575,169</u> (NPK005US),
<u>(NPK007US),</u>	<u>09/575,184</u> (NPM001US),	<u>6,502,614</u> (NPM002US),
<u>09/575,180</u> (NPM003US),	<u>09/575,149</u> (NPM004US),	<u>6,549,935</u> (NPN001US),
<u>(NPN002US),</u>	<u>(NPN003US),</u>	<u>09/575,187</u> (NPP001US),
<u>(NPP002US),</u>	<u>09/575,155</u> (NPP003US),	<u>6,591,884</u> (NPP005US),
<u>6,439,706</u> (NPP006US),	<u>09/575,196</u> (NPP007US),	<u>09/575,198</u> (NPP008US),
<u>09/575,178</u> (NPP016US),	<u>6,428,155</u> (NPP017US),	<u>09/575,146</u> (NPP018US),
<u>09/608,920</u> (NPP019US),	<u>09/575,174</u> (NPS001US),	<u>09/575,163</u> (NPS003US),
<u>09/575,168</u> (NPS020US),	<u>09/575,154</u> (NPT001US),	<u>09/575,129</u> (NPT002US),
<u>09/575,124</u> (NPT003US),	<u>09/575,188</u> (NPT004US),	<u>09/575,189</u> (NPX001US),
<u>09/575,162</u> (NPX003US),	<u>09/575,172</u> (NPX008US),	<u>09/575,170</u> (NPX011US),
<u>09/575,171</u> (NPX014US),	<u>09/575,161</u> (NPX016US),	<u>(NPX020US),</u>
<u>10/291,716</u> (NPX022US),	<u>6,428,133</u> (HJ52US),	<u>6,527,365</u> (HJ52US),
<u>6,315,399</u> (MJ10US),	<u>6,338,548</u> (MJ11US),	<u>6,540,319</u> (MJ12US),
<u>6,328,431</u> (MJ13US),	<u>6,328,425</u> (MJ14US),	<u>09/575,127</u> (MJ15US),
<u>6,383,833</u> (MJ34US),	<u>6,464,332</u> (MJ47US),	<u>MJ52US,</u>
<u>6,390,591</u> (MJ58US),	<u>09/575,152</u> (MJ62US),	<u>6,328,417</u> (MJ63US),
<u>6,409,323</u> (PAK04US),	<u>6,281,912</u> (PAK05US),	<u>6,604,810</u> (PAK06US),
<u>09/575,112</u> (PAK07US),	<u>6,488,422</u> (PAK08US),	<u>09/575,108</u> (PEC01US),

Appln No. 09/575,109
Amdt. Dated October 7, 2003
Reply to Office action of July 7, 2003

3

COPY

09/575,109 (PEC02US) (PEC03US)09/575,110.

The disclosures of these co-pending applications are incorporated herein by reference.--

Appln No. 09/575,109
Amdt. Dated October 7, 2003
Reply to Office action of July 7, 2003

4

COPY**REMARKS/ARGUMENTS**

Examiner's comment in relation to claims 1 and 6 are noted, but respectfully traversed.

The present invention as claimed requires that the encoder include inputs for accepting three types of information:

1. Tag structure;
2. Fixed data; and
3. Variable data.

Looking at the parts of the citation referred to by Examiner, only the encoding of variable data is disclosed in Brass. There is utterly no disclosure of fixed data that would be common from, say, strip to strip (or tag to tag, to use the language of the present specification).

Moreover, there is no disclosure of the tag encoder having an input to accept a tag structure template. As far as Applicant can tell, the only tag structure disclosed in Brass simply arises as a result of the variable data being encoded. Certainly this does not take place on the basis of a template that is accepted by the tag encoder. Also, the strip generated in each case is unique to the variable data provided, and can in no way be considered a "template".

Examiner is requested to specifically point out, either in the sections already referred to, or elsewhere in Brass, where there is disclosed an input for receiving a tag structure template, and an input for receiving fixed data bits. If these features cannot readily be identified by Examiner, it is respectfully requested that the rejection be withdrawn.

Regarding claims 2 and 7, Applicant is unable to find any reference to redundancy encoding in Brass, either in the section referred to or in the specification as a whole. The only additional information (ie, additional to the encoded data) disclosed in Brass relates to the provision of random data to fill out the end of a strip, and header information. Nothing suggests the inclusion of redundancy data. For these reasons it is submitted that claims 2 and 7 are allowable.

Appln No. 09/575,109
Amdt. Dated October 7, 2003
Reply to Office action of July 7, 2003

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Further consideration of the application is respectfully requested.

Very respectfully,

Applicant:



PAUL LAPSTUN



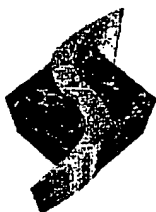
SIMON ROBERT WALMSLEY

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com

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COPY**SILVERBROOK RESEARCH Pty Ltd**

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PO Box 207 Balmain NSW 2041 Australia

Phone: +61 2 9818 6633 Fax: + 61 2 9818 6711

Email: info@silverbrookresearch.com

ACN 066 573 671

October 7, 2003

Assistant Commissioner for Patents
Washington, District of Columbia 20231
USA

Dear Sir

United States Patent Application Serial No. 09/575,109**Inventors/Assignors: PAUL LAPSTUN and SIMON ROBERT WALMSLEY****Assignee: SILVERBROOK RESEARCH PTY LTD****Title: "Printed Page Tag Encoder"****Our Ref: PEC02US**

The status of the above application has changed from "Small Entity" to "Large Entity".

Please update your records accordingly.

Yours faithfully

Paul Lapstun

Simon Robert Walmsley

T H E B U S I N E S S O F I N V E N T I O N

Exhibit LFN-2

Application/Control Number: 09/575,109

Page 4

Art Unit: 2622

Claims 8, 14 and 15 identifies the unique features "a print engine/controller to drive an ink drop printhead comprising: a contone image decoder to decode any compressed continuous tone image planes in the received compressed page data; a bi-level decoder to decode any compressed bi-level image plane in the received compressed page data; a tag encoder to produce a tag image plane; and a half toner/compositor including a dot merger unit controlled by a color mask to effect integration of the image planes and tag data plane".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6036 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

COPY**Pascale Hair**

From: Lamb, Twyler [Twyler.Lamb@USPTO.GOV]
Sent: Saturday, 6 March 2004 2:11 AM
To: pascale.hair@silverbrookresearch.com
Subject: RE: USSN 09/575,109, USSN 09/575,120 AND USSN 09/575,110 - Our Ref: PEC02US, PP16US and PEC03US

The correct fax number for regular communication is 703/872-9306.
None of the responses referenced in your email are showing to have been received by the PTO.
A call was placed to you to find out the status of the files and I received no response,
so the files were abandoned.

Twyler Lamb
Art Unit 2822
703-308-8823

—Original Message—

From: pascale.hair@silverbrookresearch.com
[mailto:pascale.hair@silverbrookresearch.com]
Sent: Thursday, March 04, 2004 8:12 PM
To: Lamb, Twyler
Subject: FW: USSN 09/575,109, USSN 09/575,120 AND USSN 09/575,110 - Our
Ref: PEC02US, PP16US and PEC03US

Dear Examiner Marie Twyler Lamb,

I refer to the above applications which have all been abandoned.

1. PEC02US (USSN 09/575,109) was abandoned for our failure to send a response to the Office Action dated July 7, 2003.
2. PP16US (USSN 09/575,120) was abandoned for our failure to send a response to the Office Action dated July 1, 2003.
3. PEC03US (USSN 09/575,110) was abandoned for our failure to send a response to the Office Action dated July 7, 2003.

However, for each of these applications we sent a facsimile responding to each Office Actions on the following dates:

1. PEC02US: Oct. 7, 2003
2. PP16US: Sept. 25, 2003
3. PEC03US: Oct. 7, 2003

All responses were sent to this facsimile number : 703 746 6036 and got through with a positive Facsimile report (which will be sent to you with our requests to withdraw the Abandonments).

However, we are concerned that this facsimile number may be incorrect or may not be functioning the way it should and we are unsure as to which facsimile number our requests to withdraw the abandonments should be sent/faxed to.

Please kindly let us know what the correct facsimile number ought to be.

Many thanks

Yours sincerely,

Pascale Hair
For Kia Silverbrook
Silverbrook Research Pty Ltd
(Phone: +61 2 9555 7548)

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